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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,109	12/09/2003	Peter A. Greenlee	T2357-906303US02	2664

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MILES & STOCKBRIDGE PC  
1751 PINNACLE DRIVE  
SUITE 500  
MCLEAN, VA 22102-3833

EXAMINER

JACKSON, ANDRE L

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 05/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/730,109

**Applicant(s)**

GREENLEE, PETER A.

**Examiner**

Andre' L. Jackson

**Art Unit**

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/9/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

*fw*

DETAILED ACTION

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 1,492,100 to Krueger. Krueger discloses (Figs. 4-7) a handle device comprising;

a first panel (1a), a second panel (2), a third panel (2) and a fourth panel (1b), each formed from a layer of resilient material (1) of a predetermined thickness, the first panel and the second panel being joined along an inner edge, and being capable of being folded at or about the inner edge to an operational position (Figs. 6&7) wherein the first and second panels define a first slot (5a) there-between; the third and fourth panel being joined along an inner edge, and being capable of being folded at or about the inner edge to an operational position (Figs. 6&7), wherein the third and fourth panels define a second slot (5b) there-between; wherein the first and second slots are adapted to receive a handle (6a, 6b) therein; and wherein the second panel and third panel are joined together.

As to claim 2, Krueger (Fig. 4) discloses that the second and third panels are joined at an abutting edge (3), the second and third panels are folded at or about the abutting edge into a substantial parallel orientation (Fig. 6).

As to claims 3-7, Krueger discloses that the second and third panels are releasably fastened together in abutting relation by predetermined sections (7a, 7b) of the handle including and adhesive tab fastener (20) provided at the second and third panels.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9-14 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 2,722,368 to Gottsegen. Gottsegen discloses a handle device comprising;

a first panel (26) and a second panel (28) formed from a layer of resilient material of a predetermined thickness, the first and second panels abutting each other at an inner long edge (36) of a each panel and each having an outer short edges, two side edges and outer end edge defining a shape of the panel, the first and second panels being capable of being folded at or about the abutting inner long edges to an operational position (Figs. 4-7) , wherein the first and second panels have inner facing surfaces and outer exposed surfaces, the first and second panels being so constructed and arranged to capture handles (14) of a bag there-between when the first and second panels are folded into the operational position; the handle device further including thumb brace surface formed by inclined edges (30, 32) of each of the panels, wherein at least one of the first panel and the second panel are adapted to be removably secured (24) to a first (26) or second panel (28) of another handle device (Fig. 2).

As to claims 10-14, the first and second panels has fastening means in the form of hooking tabs (44) and loop openings (38) disposed at an upper part of the handle and by adhesive at inner walls (52, 54) of the handle (col. 5, lines 1-3). As seen in Figs. 2 and 4, indicium is provided on an outer surface of the panels.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger in view of USPAP 2003/0131447 to Mikus. Krueger does not specifically disclose that the second and third panels are secured together by hook and loop fasteners. Mikus teaches a bag grip for carrying multiple bags comprising a first panel (16), a second panel (22) and a third panel (22). The second and third panels defining hook and loop fasteners (36, 38) along a semi-circular section affording quick and reliable engagement between the second and third panels around handles of a plurality of bags thus minimizing the number of bags to transport. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the adhesive tab fastener of Krueger to incorporate the bag grip as taught by Mikus to provide a reuseable-securement handle device affording quick and reliable engagement between panel members about handles of a plurality of bags thus minimizing the number of bags to transport.

Art Unit: 3677

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Beckwith and Cohen disclose handle devices, which may be used in combination with the applied art references to meet the limitations of applicant's claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (571) 272-7067. The examiner can normally be reached on Mon. - Fri. (9:30 am - 6 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

André L. Jackson  
Patent Examiner  
AU 3677

ALJ

  
ROBERT J. SANDY  
PRIMARY EXAMINER